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Lenox, Massachusetts, U. S. A.

Fairfax

Cartmell

An Historic Sketch of

The Two Fairfax Families in Virginia

1212

By Thos. Kemp Cartmell, edited by Lindsay Fairfax

The Knickerbocker Press
New York
1913

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T. K. Cartmell's

History of Frederick County, Virginia

CHAPTER XLVI

Entitled

Notabilities of Old Frederick County

The Fairfax Families

Notabilities of Old Frederick County

The Fairfax Families

Under the above caption, Cartmell's *History of Frederick County, Va.*, devotes a chapter to a comprehensive sketch of the two Fairfax families in Virginia, which so distinctly reveals, at a glance, the diverging lines of their respective and consecutive generations, that, with Mr. Cartmell's kind permission, I have taken the privilege of reprinting it in an accessible form for the edification of my family connexion generally.

Being, as this is, a sort of factual summary of what is contained in official records concerning these two families, it will serve as a valuable guide for their future direct and collateral descendants.

I apologize to Mr. Cartmell for such slight textual revision as I may have found it necessary to make in reproducing his article as a disseverate and unattached publication.

LINDSAY FAIRFAX

Union Club, New York,
1 East 51st Street,
May 1, 1913.

A Word from the Compiler

We are living in an age of kaleidoscopic changes. All the nations of the world have been stirred to competitive energy by the amazing developments of material progress in these United States of North America.

Our country has become the arena of the greatest manifestation of industrial initiative that civilization has ever known. But the American people appear to be prospering too rapidly for their permanent good. Luxury and sybaritism are intoxicating our moneyed youth, and misplaced millions are destroying the social dignity of our wealth.

This broad, free Republic of ours is a great racial melting-pot. We are producing a national amalgam which history affords no guide or formula for treating.

Impatient in the scramble for worldly gain, this age is ignoring the truths of heredity which Mendel demonstrated to the world,

and, under the glamour of new-made wealth, marriages are made entirely regardless of ancestral considerations.

What dangerous strains of vicious blood may be coursing through the veins of one's posterity is a thought that appals the reflective and affectionate parent!

A particularly grave speculation for the thoughtful mind to-day is the consequence of woman's changing status to the motherhood of the future.

That the part of the woman in the Divine project of human destination was predetermined to be greater than that of the man, is scarcely to be doubted. But there are certainly many manifestations to-day in the American woman's use of her recently enlarged power, which point to the ultimate extinction of the most civilizing institution of mankind—that time-honored school of morals and conservatory of character—the family life.

Never before, in any country, was woman accorded so great a measure of privilege as is hers at the present time in our United States. And yet, co-incidentally, never

before in any civilized nation have marriage dissolutions been so numerous as among this great enlightened Christian people of ours!

A while ago, a wave of genealogical interest passed over this country, and, from our Atlantic seaboard to the Pacific, people were tracing up and publishing the records of their antecedents.

Perhaps this was prophetic!

One of the many lamentable consequences of our unfortunate Civil War has been the disintegration of the old Southern families. The shattering of their fortunes has scattered their scions toward every point of the compass.

It is the rare exception at the present day to find any notable family in our Southern States with its several members bringing up their children in the same locality where their ancestors generated in the days of the Colonies.

Southern blood has percolated into every State of the Union, and the Southerner of yesterday has become the Westerner or the Northerner of to-day.

The compiler of this little volume cherishes a sentiment, deep within his heart, for the dear old State of his nativity—Virginia. He loved, he loves, and he always shall love Virginia's open-hearted people. But the one life in the world in whom his own life has centered, is not a Virginian, and *she* is why he is able to remain a Northerner for aye—and be happy.

To be sure, however, that his descendants may never lose trace of their Maryland and Virginia progenitors, he has bound this paltry scrap of history into a booklet, and he asks his children to pass it on down to their posterity.

Notabilities of Old Frederick County

The Fairfax Families

A cleaving interest will always adhere, perhaps, to perpetuators of the surname which Lord Fairfax eternified in the nomenclature of Virginia.

Here within our borders this interest naturally inheres in the well-known native cohesion of our Virginian people. To those who live at a distance, however, the Fairfax name looms vaguely as an historic sentiment. Indeed there prevails among readers of periodical literature an idealization of our Virginian Fairfaxes, who are fancifully regarded as the heriters and living symbols of Lord Fairfax's fame in Virginia's history.

Romantic writers are responsible for this illusion. And because the Fairfax family

name has become involved with misleading traditions of Lord Fairfax, it is thought that an interesting inclusion of these chronicles would be an outline of the ramifications of the two families of Fairfax who have lived for generations in Virginia.

The progenitors of both these family lines in America were sprouts from the same ancestral tree in England which sent forth Lord Fairfax as the head of one of its junior branches.

And though they both—these Fairfax ancestors—antedated Lord Fairfax as American colonists, neither of them immigrated originally to Virginia.

At the beginning of the eighteenth century, John Fairfax had established himself in Charles County, in the Province of Maryland. Later on, in 1717, William Fairfax appeared in America, and settled himself amidst the Puritans in the Colony of Massachusetts.

This William Fairfax was a nearby cousin of Thomas Fairfax who, in 1710, had succeeded his father as sixth bearer of the Scotch title: Baron of Cameron.

Descendants of William Fairfax

When quite a young man, William Fairfax had ventured to sea and served in the British navy under a kinsman of his, a Captain Fairfax.

After settling in America, William Fairfax was twice married: firstly, in 1717, to Sarah Walker, whose father, Major Thomas Walker, was stationed at that time in the island of New Providence. Fourteen years later, Sarah Fairfax died at Salem, Massachusetts.

William Fairfax's second marriage was with Deborah Clark of Salem, Massachusetts.

Several years prior to the time we are now considering, Lord Fairfax had heired, in right of his mother, the vast proprietary estate of Lord Colepeper in Virginia.

Lord Fairfax had never crossed the Atlantic, however, when, in 1732, the death occurred of Robert Carter who had long served as steward of the Northern Neck proprietary under Lord Colepeper. The death of Carter placed the new proprietor in an awkward quandary. His Lordship's

sole knowledge of the vast domain he had inherited beyond the seas—and which at that time was practically a wilderness—was the vague inception which he had derived from his parchments. His grant embraced, specifically enough, the whole country intervening between the head-waters of the Rappahannock and the Potomac rivers, and the Chesapeake Bay. But where were those "head-waters"?

No surveyor had as yet even attempted to follow this inquiry, and, in the absence of any official definement of the proprietary limits, a large area was being granted away by the Crown in a region which Lord Fairfax insisted to be a part of his patented possessions.

Such was the new proprietor's plight when he wrote out from England to his Massachusetts kinsman, William Fairfax, and proposed to him to go to Virginia and undertake the management of his Northern Neck propriety. This offer was accepted, and William Fairfax moved forthwith to Virginia with his family, in 1733.

He first settled there upon a leased planta-

tion in the county of King George. It was something in the nature of a problem at that time to obtain a cleared plantation in the wilds of Northern Virginia, because the Colepeper proprietary grant had retarded the development of that entire district.

Among the foremost of the pioneer planters then in the Northern Neck of Virginia were the Washingtons; and, of that family, there were several members residing in the counties along the Potomac.

One of these planters was Edward Washington, and from him, William Fairfax, in 1739, purchased a cultivated plantation which, at that time, was recorded as in the county of Prince William. Three years thereafter, however, this portion was taken away from Prince William County to form a new county, and this new county was called—in honor of the new lord proprietor —Fairfax.

Nearby, and in sight of this Edward Washington plantation, was the "Hunting Creek" plantation of Augustine Washington —father of our immortal George. And that which was then known as "The Hunting

Creek Plantation" is to-day the world-famed —if not the world-revered—Mount Vernon.

It was just at this time—1739—that Lord Fairfax crossed the Atlantic for the first time, to institute a survey, under Crown authority, for the establishment of the boundary limits of his proprietary. While on this visit it appears that plans were arranged for the erection upon William Fairfax's plantation of a substantial house to serve, not alone as a residence, but as well for a place of security for the custody of the records of the Northern Neck proprietary. This house was the "Land Office" and, as shown elsewhere, was called Belvoir.

In 1741, William Fairfax was elected a member of the House of Burgesses. He retained the management of the Northern Neck estate until his death, in 1757.

From both his marriages, William Fairfax left children. By Sarah Walker there issued two sons: George William, who married Sarah Cary, daughter of Col. Wilson Cary; and Thomas, who died unmarried. There were also two daughters: Ann, who

married Lawrence Washington; and Sarah, who married Major John Carlyle.

George William Fairfax, the first son, became assistant to his father in the management of Lord Fairfax's proprietary.

It will right some misunderstanding to mention here that it was George William Fairfax, who, while "Agent for Lord Fairfax" (to use George Washington's own words), gave the first remunerated employment to the youthful Washington.

Lord Fairfax knew nothing whatever of George Washington until the boy's own survey report commanded his attention. The comprehensive field-notes of Washington were so unmistakably trustworthy that this unknown boy was instructed to report himself to "His Lordship's Quarters over the mountains."

Another correction of legend is, that George Fairfax and George Washington, while next-farm neighbors, were not "boy companions together," as has often been represented in print. George Fairfax, the full-grown man, employed George Washington, the boy, and scarcely more than a

child was Washington—just 16 years of age.

At the death of William Fairfax in 1757, his son, George William, succeeded him in the proprietary stewardship.

A few years prior to this time, Thomas Bryan Martin, a nephew of Lord Fairfax, had come out from England to Virginia and established himself in his aged bachelor uncle's home. Three years had hardly elapsed after the death of William Fairfax, when information reached George William's ear that Martin was contriving to influence his uncle into making a change in the proprietary management. Shortly thereafter, the whole land-office outfit was transferred from the Belvoir house to a depository built expressly for the purpose on his Lordship's manor in Frederick County: Greenway Court.

The bitter feeling created in George William Fairfax by Martin's influence over the lord proprietor, is shown through letters of the former, which have been published by Edward D. Neill.

In 1773, George William Fairfax went with his wife to England, where both of them died without leaving issue.

From William Fairfax's second marriage, *i. e.* with Deborah Clark, there issued: Bryan, William Henry, and Hannah. William Henry Fairfax died unmarried. Bryan Fairfax, the elder of the two, was married twice: firstly, to Elizabeth Cary, sister to the wife of his half-brother George; and secondly, to Jennie Dennison.

In 1754, Bryan Fairfax was appointed deputy clerk of the county of Fairfax.

At the death of Lord Fairfax, in 1782, in the ninety-first year of his age, the Northern Neck proprietary domain was bequeathed to his nephew, the Reverend Denny Martin in England, who, according to the stipulation of his Lordship's will, assumed the surname Fairfax.

The new proprietor, however, never set foot upon his American possessions. He placed his Virginian proprietary estate under the joint management of Gabriel Jones and his own brother, Thomas Bryan Martin, who, under a provision of his uncle's will, had inherited his Lordship's home manor, Greenway Court.

The execution of Lord Fairfax's will

revealed that his estate had long been heavily encumbered, and, in consideration of back claims upon the proprietary rendered by the heirs of his former manager, William Fairfax, for amounts due the latter up to the time of his death, in 1757—and which were thus a quarter of a century overdue at his Lordship's decease—Denny Martin Fairfax revoked the appointment of Jones and Martin to the stewardship of the proprietary and appointed Bryan Fairfax, alone, in their stead.

The document that effected this transposition was dated at London, September 21, 1784. By this instrument, Denny Martin Fairfax was to be absolved from all back claims whatsoever, by the heirs of William Fairfax, for the stipulated consideration of Bryan Fairfax's substitution for Bryan Martin and Gabriel Jones in the stewardship of the Northern Neck estate.

It was in the following year, however, that the Legislature of Virginia practically obliterated the Northern Neck proprietary and ordered all records, books, documents, etc., pertaining to lands within that district, to be removed from proprietary custody and

placed in the Land Registry Office of the Commonwealth in the city of Richmond.

Bryan Fairfax who was the only son of William Fairfax to leave descendants, was notable throughout the course of his life for his profound piety. Although belonging to the military of the Colony, he declined to take up arms against the Crown in the American Revolution. His letters reveal that during his military service he was wont to spend whole hours at night on his sentry post in silent prayer.

In 1789, when in the fifty-seventh year of his life, he became a minister of the Protestant Episcopal Church, "having accepted the Moderate Calvinistic interpretation of the Thirty-nine Articles."

From 1789 until 1792, he preached at old Falls Church in Fairfax County; subsequently he became a "visitor of parishes" in his district.

At the death of Lord Fairfax, in 1782, the title, Baron of Cameron, had passed to his

only brother Robert Fairfax in England. Robert, seventh Lord Fairfax, had died, without heir, in 1793; and thus the Cameron title was left in abeyance.

Five years subsequent to this—in 1798—the Rev. Bryan Fairfax determined to go to England to test the validity of a claim for himself to the heirship of the Cameron title.

He addressed a petition to his Majesty, King George III, and this found its way to a committee of the House of Lords under the chairmanship of Lord Walsingham. On May 6th, 1800, this Committee submitted its report, which declared "in favor of the petitioner."

As this incident has supplied inspiration for many misleading publications, the interest of intelligent readers would benefit by its clarification as a fact.

The Rev. Bryan Fairfax's petition prayed for his recognition as heir to the succession of the title. But, the granting of that petition did not, *per se*, constitute the petitioner (who was an American citizen) a Baron of Cameron, nor did he himself ever assume

or pretend that it did. The instrument merely secured to him, and to his heirs thenceforward, the *right* to assume the title subject to the legal exactions imposed in Great Britain. The Rev. Bryan Fairfax never exercised his right to qualify for the title by becoming a British subject. On the contrary, he is on record as having declared that he had "no ambition whatever to bear an empty title." His will, which is on file in the Clerk's Office of Fairfax County, attests to the fact that he was known as, and that he designated himself as simply: Bryan Fairfax.

It is only due to the honored descendants of the Rev. Bryan Fairfax, to mention here that no bearer of his surname has ever been responsible for the authorship of any publications which tended to sentimentalize "The *Lords* Fairfax *of* Virginia."

The Rev. Bryan Fairfax died in 1802, leaving two sons and two daughters.

Ferdinando, his second son, married

Elizabeth Cary; he lived as a planter in Jefferson County and left many descendants.

Thomas Fairfax, the Rev. Bryan Fairfax's eldest son—and who was heir in line to the Cameron title—was married three times: firstly, to Mary Aylett; secondly, to Louisa Washington; thirdly, to Margaret, daughter of William Herbert.

From this third marriage there issued all of his ten children, of whom six were sons: Albert, Henry, Orlando, Raymond, Ethelbert, and Reginald.

Henry Fairfax, his second son, married Caroline Herbert, of Maryland, and conducted at his home, "Ash Grove," in Fairfax County, a widely known boarding-school for young ladies. He became captain of a volunteer company in the Mexican War and died in 1847, leaving several children.

Orlando, the third son of Thomas Fairfax, married Mary Randolph Cary. He was a well-known family physician in Alexandria during his early life; subsequently he removed to Richmond, where he practised

physic until his death. He left a large family.

Raymond, Ethelbert, and Reginald—the fourth, fifth, and sixth sons of Thomas Fairfax —all died unmarried.

Thomas Fairfax spent his life as a planter in Fairfax County and died at his home, Vaucluse, in 1846, at the ripe age of eighty-four years.

The oldest of his sons, Albert Fairfax, had predeceased his father in the year 1835. He married Caroline Eliza, daughter of Richard Snowden of Maryland, and left by her two sons: Charles Snowden and John Contee.

At the death of Thomas Fairfax, in 1846, Charles Snowden Fairfax, his grandson, became by birthright the heir to the title, Baron of Cameron.

He was one of the pioneers to California and, four years after the admission of that State to the Union, he was elected to its House of Delegates. In 1857, he was made Clerk of the Supreme Court of California. He married Ada Benham of Cincinnati, Ohio, and died without issue in 1869.

The heirship to the title then reverted to his brother, John Contee Fairfax, who lived at his parental home, Northampton, in Prince George's County, Maryland.

John Contee Fairfax studied medicine at the University of Pennsylvania and practised his profession in his home county, in Maryland. He married Mary, daughter of Col. Edmund Kirby, of New York, an officer of the U. S. Army. Dr. John Contee Fairfax died at his home in Maryland in 1900, leaving three daughters: Caroline, Josephine, and Charlie; and two sons, Albert Kirby and Charles Edmund.

Albert Kirby Fairfax, the eldest son, has attained the distinction of being the first of the descendants of Rev. Bryan Fairfax (who died in 1802) to seek recognition in Great Britain of the legality of his title: Baron of Cameron in the peerage of Scotland.

When preparations were making for the coronation of King Edward VII, application was made to the Earl Marshal for a baron's summons to Albert Fairfax to appear at that ceremony. He was accordingly "commanded" to be present on that occasion.

And although prevented from personal attendance at that function, the fact that he had been personally addressed as Lord Fairfax by the Lord Chancellor, was declared to be sufficient recognition to invest him with the courtesy right to "walk" as the Baron of Cameron. It yet behooves him, in order to bear the title in actuality and to legalize his signature of it, to renounce his American citizenship and formally declare his allegiance to the British Crown.

As much that is apocryphal has been published of the prerogatives of this title, intelligent interest will approve the recitation here of facts which will explain and define them.

In the British realm, whatever privileges are possessed by a peer, belong to the peer as a member of Parliament only, and thus, where membership in Parliament is hereditary, peerage privileges are also, but then only. All peers of England, absolutely, and the peers of Scotland, down to the title of baron, were constituted, at the Union of England and Scotland, as peers of Great Britain. The barons of Scotland, however,

remained as they were, peers of Scotland only, and the one possibility of their becoming members of the British House of Lords is through election.

For each and every Parliament of the United Kingdom there are sixteen Scottish representative peers elected; and the right to vote at such parliamentary elections is the one and only hereditary privilege that inures to a barony of Scotland. This, therefore, is the only prerogative acquired with the Barony of Cameron.

In the Scottish sense, that a barony implies a large freehold of property, the Barony of Cameron is not, *de facto*, a barony at all. It is "a patent of baronial diginity" which Charles I created in 1627, and "which he conferred in a manner not unusual to the Stuart Kings," for the consideration of a fee to the Royal Exchequer. (See Markham's *Life of Lord Fairfax*, p. 14.)

Albert Kirby Fairfax is, as yet unmarried. So is his brother, Charles Edmund, and thus the primogenital line of descent from the parent colonist, William Fairfax, may be said to pause with an interrogation.

Descendants of John Fairfax, of the Colony of Maryland

In order that there may be no entanglement of the lines of the two families of Fairfax, who have long been identified with Virginia, we shall now hark back to John Fairfax, of the province of Maryland, who, although anterior to William Fairfax as an American colonist, had no descendants in Virginia until their third American generation.

This line of Fairfaxes did not cross the Potomac until subsequent to the American Revolution; they therefore did not become Virginians until after the time of Lord Fairfax.

The reader may recall that in the original grant of Maryland, Cecilus Calvert, the second Lord Baltimore, was given a palatinate or quasi-royal authority over the province.

The Calvert family were Roman Catholics. And, notwithstanding that Lord Baltimore established in his colony the first freedom of religious worship in America, there sub-

sequently developed in Maryland such bitter hostility to zealots of the Roman faith that, from 1692 to 1715, the Crown suspended the charter rights of the Baltimores and entirely abrogated their palatine authority.

It was during this period of "suppression of the Papal rule" in Maryland that John Fairfax appeared in that Colony.

He himself was a papist, and of that faith were many members of the primogenital vein of the English Fairfaxes who were the Viscounts of Emley—the Lords Fairfax of Gilling Castle, in Yorkshire.

The first records pertaining to John Fairfax are prosecutions by him of trespassers upon his property in Charles County. He is found recorded repeatedly as sponsor and surety for his co-religionists. And the various pleas of "*compassion* for the Catholics who have truly scrupulous consciences," are peep-holes through which the imaginative mind may picture the tribulations endured by the then faithful adherents of the Church of Rome.

John Fairfax married Catherine, daughter of Henry Norris of Maryland, and to the

former's only son, John Fairfax, Jr., there descended the Norris homestead.

John Fairfax, II, of Charles County, Maryland, married Mary, daughter of Edward Scott of Baltimore County.

In 1720, nine years before the incorporation of *Baltimore Towne*, Mary Scott Fairfax, disposed of her parental heritage: "Scott's Folly," on Elk Ridge, then in Baltimore County.

John Fairfax, II, died at his Charles County home in 1735, leaving four daughters and one son, William.

William Fairfax, of Charles County, Maryland, married, firstly, Benedicta Blanchard, to whom there were three daughters, and two sons: Jonathan and Hezekiah.

William Fairfax married, secondly, Elizabeth, daughter of Peyton Buckner of Virginia, by which union there issued two more sons: John and William, and three daughters.

William Fairfax, the senior, was a planter with considerable possessions in Maryland, and although he and both his elder sons were qualified for the military service, all three of them, like their contemporary

Fairfaxes on the Virginia side of the Potomac, stood loyal to the British Crown during our Revolution.

In 1789, William Fairfax disposed of his Maryland properties, and in 1791 he crossed the Potomac into Prince William County, Virginia, and thereafter made his home at Occoquan. He died at Occoquan in 1793.

Jonathan Fairfax, the oldest of William's four sons, remained for life a Marylander. His home, "Goose Bay," was near old Port Tobacco in Charles County. He died there in 1787, having predeceased his father by six years. He married Sarah, daughter of Richard Wright, by whom there issued four daughters: Louesta, Sarah, Anne Booker and Elizabeth; and five sons: Richard Wright, Walter, John, Henry, and Peter.

Hezekiah Fairfax, the second of William Fairfax's sons, married Margaret Calvert. He made his home in Prince William County, Virginia, and left four sons: John Hezekiah, Minor, Thomson and Sanford. There were numerous descendants from these four brothers whom we lack the space to follow.

William Fairfax, II, of the previous genera-

tion, married Anne, daughter of Cyrus King of the county of Prince William. He heired his father's home at Occoquan and died there in 1845. John Scott Fairfax, this second William's oldest son, married Anne, daughter of Peyton Mills of Virginia.

John Scott Fairfax moved westward and settled in Kentucky where his two sons: Cyrus King Fairfax and John Peyton Fairfax, have left descendants.

John Fairfax, the third son of the senior William Fairfax, was the first of this Fairfax line to cross the Potomac and become a Virginian.

Notwithstanding that these Fairfaxes had been Tories, and, moreover, that they were not as yet even Virginians, General George Washington, in the year 1783—just after his resigning the command of the Revolutionary army—sent across to Maryland for young John Fairfax and offered him the position of assistant to Lund Washington—the General's nephew—in the management of General Washington's extensive properties. John Fairfax, who was then only nineteen years of age, betook himself forthwith to

Mount Vernon. Within two years, Lund Washington received an appointment in the public service and resigned his stewardship of the Washington estates. John Fairfax succeeded him.

For seven years John Fairfax remained with General Washington, and letters now preserved by his descendants attest to the regard in which he was held by the Father of his Country.

The realty possessions of General Washington at the time of his death aggregated something like 55,000 acres, a fact which conveys an intelligent understanding of young John Fairfax's responsibilities.

Just as history shows us that young George Washington profited by acquiring garden spots which he discovered while surveying in the wild domain of Lord Fairfax, so profited young Fairfax by the knowledge he acquired while inspecting the Washington properties in the rich natural meadows of Monongalia County, known as The Glades.

John Fairfax acquired an extensive tract in the Monongalia Glades and, in 1790, he

resigned his position with Washington and went thither to make his home.

In 1794, he was appointed by Governor Brooke a Justice of the Court. Later on, he became the Presiding Justice. Three times he was elected to the House of Delegates of Virginia and, prior to and during the War of 1812, he was Colonel of the 104th Virginia Regiment.

Colonel Fairfax died in 1843, having, throughout his entire manhood, occupied official positions of trust and responsibility.

Persons still living, who heard Colonel Fairfax's own personal account of it, allege that General Washington had told him he was actuated in befriending young Fairfax by a recognition of the great debt which he (Washington) himself felt that he owed to a Fairfax.

Let it be remembered that it was in 1782 that old Lord Fairfax died, and that General Washington gave John Fairfax his appointment less than a year thereafter. And be it remembered too, that Lord Fairfax, the staunch old Tory—who will always be memorable in our history for his patronage to the

young surveyor—is alleged to have declared upon his death-bed, that he would never look again into the face of the conqueror of Lord Cornwallis—and he never did!

Was—or was not—this death-bed plaint of his noble old patron a thorn in the heart of the grateful Washington which pained and rankled? And did he, when that mighty sword was hung upon the wall of Mount Vernon, did he feel that he was making some atonement through giving his favor to this young Fairfax, just as the kind old master of Greenway Court had, at one time, favored him?

Colonel John Fairfax was married twice: firstly to Mary, daughter of Samuel Byrne of Virginia; and secondly to Anne Lloyd, daughter of Francis Boucher Franklin of Charles County, Maryland.

Two sons: William and Buckner, were born of the first marriage; and two more sons: Francis Boucher Franklin and George Washington, were born of the second. Both Francis Boucher Franklin Fairfax and George Washington Fairfax were commissioned Colonels in the military service

of Virginia, and all four of these sons attained official prominence through State appointments.

Buckner Fairfax, in particular, was a man of leading. In 1849, the Legislature of Virginia appointed him Brigadier-General of the Third Military District of Virginia. General Buckner Fairfax was elected to the Legislature of Virginia five times. Four terms he served in the House of Delegates and one term in the Senate.

Returning now to the vein of seniority in the family, Jonathan Fairfax—the oldest son of William Fairfax, Sr., and who died in Maryland in 1787—left five sons and four daughters. Of these five sons, who have already been named—and all of whom were living four years subsequent to their father's death—Henry alone survived the maturity of manhood.

Henry Fairfax embarked in business in Baltimore with a foreign shipping house, and profiting by the experience thus acquired, he settled himself at the then very prosperous port of entry, Dumfries, Virginia, and be-

came one of the leading shipping merchants of his time.

His vessels contributed valuable aid to our Government during the War of 1812, and he himself held the rank of Captain in the 36th Virginia Regiment engaged in that war. Apart from his Dumfries business concerns, Henry Fairfax was interested in a banking house in Baltimore, and at his death, in 1847, he left a large fortune. He was married three times: firstly, to Sarah Triplett Carter, daughter of William Carter, of Dumfries; secondly, to Sophia Scott, daughter of Jesse Scott of Dumfries; and thirdly to Elizabeth, daughter of Thomas Lindsay of The Mount, in Fairfax County.

From the first marriage there issued five daughters, and one son, Henry.

Henry Fairfax, Jr., married Jane Parks Price, granddaughter of Colonel Stephen Rex Price of the British army, who fought in defence of the British Crown, under Lord Cornwallis, in the Revolutionary War. The oldest son of this marriage is Dr. Edwin Fairfax, who makes his home in Missouri. His family is composed of daughters only.

From the senior Henry Fairfax's third marriage, *i. e.* with Elizabeth Lindsay, there issued two children: Martha Lindsay, who married Thomas Bolling Robertson of Petersburg, Virginia; and John Walter.

John Walter Fairfax, in the ante-bellum period, was a leading figure in the social life of Northern Virginia. He owned, among other valuable properties, the splendid country-seat of President Monroe, at Aldie in Loudoun County, which was his family home. He married Mary, daughter of Colonel Hamilton Rogers, from which marriage there issued four sons and a daughter.

The Hon. Henry Fairfax, the eldest son, and present owner of the old Monroe estate, married Eugenia Tennant of Richmond.

Hamilton Rogers Fairfax, the second son, married Eleanor Van Rensselaer of New York.

John Walter Fairfax, II, is unmarried; Lindsay Fairfax, the fourth son, married Grace Bradford of Lenox, Massachusetts; and Mary Elizabeth Fairfax married Colonel Charles Greenleaf Ayres, U. S. A., of Portland, Maine.

In 1861, John Walter Fairfax, the senior, espoused the cause of the Southern Confederacy, as did every Fairfax in Virginia—with but one single exception.

He became the ranking officer on the staff of General Longstreet.

Colonel Fairfax, by his knightly gallantry, his dashing defiance of danger, and his contempt for fear, came to be characterized by the troops in the field of battle as "Longstreet's Fighting Aide."

This single allusion to the record of Colonel Fairfax in the Civil War will serve as an index to the well-known quality of his manhood.

At the end of his fourscore years, it was written of him—and justly—that few men of his time had sustained, so distinctly as had he, the traditional standard of the old-school Virginia gentleman.

The Fairfax Peerage

Since the writing of the preceding sketch of the Fairfax families, the claim to the title, Baron of Cameron, has been legally established in Great Britain by Albert Kirby Fairfax.

The London *Daily Telegraph* of November 18, 1908, contains in full detail the formal proceedings in determining the question of recognizing a bearer of this title.

The Committee for Privileges, composed of members of the House of Lords, by whom all peerage claims are determined, met on November 17, 1908, to consider the petition of Albert Kirby Fairfax to be recognized as Baron of Cameron.

Albert Fairfax, as petitioner, held a different status from that of his forbear, the Reverend Bryan Fairfax, who, in 1798, prayed to be recognized as heir to the succession of the title. Albert Fairfax had taken the legal

steps to constitute himself a British subject, and, as such, he prayed to be authorized to bear the Cameron title legally. The Committee that considered his petition was composed of the Lord Chancellor, Lord Ashbourne, Lord Robertson, and Lord Collins. Lord Onslow presided as chairman of the Committee.

The Attorney-General, who was present, was questioned at length in regard to the petitioner's proof of lineage, and, upon his final declaration that "all points which occurred to me for criticism have been cleared up," the petition was granted, in these words:

The Lord Chancellor: "I move that your Lordships resolve that the petitioner has made out his claim to the title, dignity, and honour of Lord Fairfax of Cameron."

Albert Kirby Fairfax was thus formally invested with this title.

He is now a loyal subject of Great Britain, and he is legally recognized as Lord Fairfax.

The Passing of Lord Fairfax's Propriety

The same excellent book of reference on Northern Virginia's history, from which the preceding chapter has been taken, contains a copy of the will of Lord Fairfax.

And realizing, as the compiler has been made to do on numerous occasions, that the distribution of his vast proprietary estate is a matter of wide-spread historic interest; and realizing as well that an astonishing amount of misinformation exists in regard to it—even among the people of Virginia—he has determined to have it reprinted here, for the information of those who are interested in the man who made the name Fairfax an historic symbol of Virginia.

652

The Last Will and Testament of Lord Fairfax

(Will Book No. 4, page 583—Old Frederick County Records.)

"IN THE NAME OF GOD, AMEN, I, The Right Honourable Thomas, Lord Fairfax, Baron of Cameron, in that part of Great Britain called Scotland, and Proprietor of the Northern Neck of Virginia, do make and ordain this my last Will and Testament in manner following: That is to say: I do hereby subject all my real and personal estate to the payment of my debts and legacies; I give and devise all that my undivided sixth part or share of my lands and plantations in the Colony of Virginia, commonly known and called by the name of the Northern Neck of Virginia, with the several advowsons, right of presentation thereto-belonging or appurtaining, I have therein, with ye messuages and tenements,

buildings, hereditaments and all other the appurtenances thereto belonging, all or any part whereof, being formerly the estate of the Honourable Alexander *Culpeper, Es-

* The observant reader's attention cannot fail to be arrested by Lord Fairfax's manner of spelling the surname of his maternal grandparents.

The explanation of this involves a fact of history that is known perhaps to few Virginians, notwithstanding that they are accustomed to spelling it, every day, in an important county and town of their State, just as Lord Fairfax wrote it—Culpeper.

The Lady Colepeper, who was Lord Fairfax's maternal grandmother, was a Dutch woman. She possessed a large fortune in her own right; and it was her fortune, indeed, which enabled Lord Colepeper to hold together his large properties, particularly the vast Northern Neck proprietary in the Colony of Virginia. It was also her fortune which rescued from bankruptcy the English property of her son-in-law, the fifth Lord Fairfax, father of the quaint old bachelor who spent the last forty-six years of his life among the picturesque pioneers of Northern Virginia.

Lady Colepeper, it appears, never succeeded in mastering the English language. She both spoke and wrote it very imperfectly. In the making of her will she spelled the family name and wrote her own signature of it without any regard to precedent—*Culpeper.*

From that time forward, her loyal descendants, preferring, perhaps, to have it appear that this was an intentional innovation of hers, rather than admit that it was the best she could do in orthographical achievement, adopted *her* spelling of the name in their legal indentures,

quire, deceased, together with all other lands and tenements I have, am possessed of or have a right to in the said Colony of Virginia—to the Reverend Denny Martin, my nephew, now of the County of Kent in Great Britain.

To him, his heirs and assigns forever, if he—the said Denny Martin—should be alive at the time of my death.

But, in case he should not, then I give and devise the same, and every part and parcel thereof, to Thomas Bryan Martin, Esquire, his next brother, now living with me, to him, his heirs and assigns forever.

And, in case of his death before me, I give and devise the same, and every part and parcel thereof, to my other nephew Philip Martin, Esquire, brother of the aforesaid Denny and Thomas, and to his heirs and assigns forever—provided always and, upon this condition, that the said Denny Martin, if alive at the time of my decease or in case of his death, the said Thomas Bryan Martin,

and thus it received the recognition of legal usage and authority, which will probably stand uncorrected forever.

Lindsay Fairfax.

if he should be alive at the time of my decease, or the said Philip Martin, if he should be alive at the time of my decease—shall pay or cause to be paid to my nieces: Frances Martin, Syvella, and Ann Susanna Martin, and to each and every of them that shall be living at the time of my decease, an annuity of one hundred pounds sterling during their and each of their natural lives.

And further that he, the said Denny Martin, or he to whom the said sixth part of the said Northern Neck shall pass by this my Will—shall procure an act of Parliament to pass to take upon him the name of Fairfax and Coat of Arms.

And whereas, I, sometime since, gave to the aforesaid Thomas Bryan Martin, the Plantation or tract of land I purchased of John Borden, containing upwards of six hundred acres, which gift I hereby confirm and ratify to him, his heirs and assigns forever. I also give and bequeath to him, the said Thomas Bryan Martin, all the stock of cattle, sheep, hogs, implements of husbandry, household goods and furniture, now,

or which shall be at the time of my decease on the farm or plantation, whereon I now live, called GREENWAY COURT.

I give, devise, and bequeath to my aforesaid three nephews, or such of them as shall be alive at the time of my decease, to wit: Denny Martin, Thomas Bryan Martin, and Philip Martin, all my negro slaves that I shall die possessed of; to be equally divided between them, share and share alike, and whereas I did (in the late Will now cancelled) give a considerable pecuniary legacy to my brother, the Honourable Robert Fairfax, Esquire, which sum of money, at his earnest desire and request, I have since paid him. Therefore, I now give him only the further sum of five hundred pounds sterling, as a memorial of my affection and to buy him mourning.

I also give and bequeath to my sister, Frances Martin, five hundred pounds sterling to buy her mourning.

All the rest and residue of my estate, both real and personal, not hereinbefore disposed of, I give, devise, and bequeath to my elder

nephew, the aforesaid Reverend Denny Martin, his heirs and assigns forever.

AND LASTLY, I do nominate and appoint my said nephew, Thomas Bryan Martin, and Peter Hog and Gabriel Jones, both of the County of Augusta in the Colony of Virginia, my executors, fully relying on their fidelity and integrity to see said trust, hereby reposed in them, faithfully and truly executed.

I hereby give and bequeath to each of the said Peter Hog and Gabriel Jones, the sum of five hundred pounds current money of Virginia, apiece, and do direct that my executors, aforesaid, give no other security to the Court, where this my Will shall be proved, but their own bonds, and that they shall not be liable for each other's transactions, but only for their own; nor be liable for any unseen casualties, or unavoidable accidents, but only for the willful negligence and malfeazance.

I likewise direct that my estate may not be appraised but only inventoried.

In witness that this is my last Will and

Testament, containing two sides and part of a third of a sheet of paper, I have hereunto set my hand and affixed my seal, the eighth day of November, one thousand seven hundred and seventy-seven (November 8th, 1777)."

(Fairfax) (Seal)

Signed, sealed and published by the testator the Right Honourable Thomas, Lord Fairfax, as and for his last Will and Testament in the presence of us, who in his presence and in the presence of each other, have hereunto set our names as witnesses:

John Hite
Angus McDonald
Richard Rigg
John Sargant
Thomas Smyther.

Republished October the 5th, 1778, by the Right Honourable Thomas, Lord Fairfax, in the presence of Isaac Lane and Daniel Field.

On November 27th, 1779, Lord Fairfax made a codicil to this will, making several specific legacies of money, slaves, etc., but as it is a long, wordy document, and as it contains nothing whatever affecting his disposition of the Northern Neck estate, its publication here has been omitted.